

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

_____)	
JOHN HANCOCK LIFE INSURANCE)	
COMPANY, JOHN HANCOCK)	
VARIABLE LIFE INSURANCE)	
COMPANY, and MANULIFE)	
INSURANCE COMPANY,)	
)	
Plaintiffs,)	CIVIL ACTION NO. 05-11150-DPW
)	
v.)	
)	
ABBOTT LABORATORIES,)	
)	
Defendant.)	
_____)	

**JOINT STATEMENT
PURSUANT TO LOCAL RULE 16.1**

Pursuant to Local Rule 16.1(D) and the Court's September 6, 2005 Order, plaintiffs John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company, and ManuLife Insurance Company (f/k/a Investor Partner Life Insurance Company) (collectively, "John Hancock"), and defendant Abbott Laboratories ("Abbott"), hereby submit the following Joint Statement:

1. **Agenda of Matters to be Discussed at the October 13, 2005 Scheduling Conference.**
 - a. Pre-trial schedule and discovery matters;
 - b. Trial by magistrate judge; and
 - c. Report on settlement discussion status.

2. Rule 26(f) Conference.

Pursuant to Fed. R. Civ. P. 26(f) and Local Rule 16.1(B), a teleconference was held on September 22, 2005, and was attended by Brian Davis, Karen Collari Troake and Joseph Zwicker for John Hancock, and Lawrence Desideri, and Stephen D'Amore for Abbott. This Joint Statement reports the results of that conference and, except where indicated, jointly proposes a discovery plan and pre-trial schedule as set forth below.

3. Rule 26(a)(1) Initial Disclosures.

Pursuant to the Court's Order of September 6, 2005, the parties have agreed to an exchange of the initial disclosures required by Fed. R. Civ. P. 26(a)(1) by October 27, 2005.

4. Limitations on Discovery.

The proposals set forth below are subject to further motions by the parties, either jointly or individually.

The parties have agreed to the following limitations, subject to modification by leave of court:

- (i) Twenty (20) depositions per side pursuant to Fed. R. Civ. P. 30(d)(2);
- (ii) Twenty-five (25) interrogatories per side;
- (iii) Thirty (30) requests to admit per side;
- (iv) Three (3) sets of requests for production of documents per side; and
- (v) The deposition of each proposed trial expert pursuant to Fed. R. Civ. P. 30(d)(2).

5. Scheduling.

The parties agree that formal phasing of discovery is not necessary in this litigation. The proposals set forth below are subject to further motion by the parties, either jointly or individually.

Event	Proposed Deadlines
Initial Disclosures	October 27, 2005
Joinder of Other Parties	January 6, 2006
Amendment of Pleadings	February 6, 2006
Completion of Fact Discovery	September 29, 2006
Initial Expert Reports	November 18, 2006
Rebuttal Expert Reports	December 16, 2006
Close of Expert Discovery	January 30, 2007
Filing of Dispositive Motions and Opening Briefs	March 15, 2007
Response Briefs on Dispositive Motions	April 17, 2007
Reply Briefs on Dispositive Motions	May 8, 2007
Final Pre-Trial Conference	To be set by Court
Trial	To be set by Court

6. Protective Order.

On July 15, 2005, the Court entered the agreed upon stipulated protective order governing the handling of confidential and proprietary materials produced in discovery.

7. Trial by Magistrate Judge.

The parties do not consent to trial by Magistrate Judge.

8. Settlement.

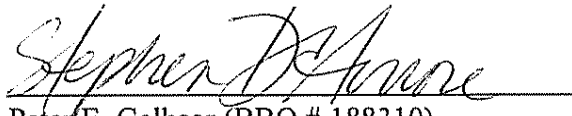
The parties have engaged in face-to-face settlement negotiations and have exchanged written settlement proposals pursuant to Local Rule 16.1(C). The parties agree that, at present, a settlement does not appear likely.

9. Certifications Pursuant to Local Rule 16.1(D)(3).

- a. John Hancock's certification is attached hereto as Exhibit A.
- b. Abbott's certification is attached hereto as Exhibit B.

ABBOTT LABORATORIES

By its attorneys,



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Date: October 6, 2005

JOHN HANCOCK LIFE INSURANCE
COMPANY, JOHN HANCOCK VARIABLE
LIFE INSURANCE COMPANY and
MANULIFE INSURANCE COMPANY

By their attorneys,



Brian A. Davis (BBO # 546462)
Joseph H. Zwicker (BBO # 560219)
Karen Collari Troake (BBO # 566922)
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Two International Place
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was
served upon the attorney of record for each other party
by mail (by hand) or electronically.

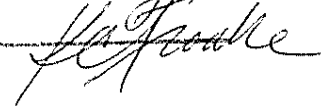
on 10/06/05. 

Exhibit A

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

_____)	
JOHN HANCOCK LIFE INSURANCE)	
COMPANY, JOHN HANCOCK)	
VARIABLE LIFE INSURANCE)	
COMPANY, and MANULIFE)	
INSURANCE COMPANY,)	
)	
Plaintiffs,)	CIVIL ACTION NO. 05-11150-DPW
)	
v.)	
)	
ABBOTT LABORATORIES,)	
)	
Defendant.)	
_____)	

PLAINTIFFS' CERTIFICATION
PURSUANT TO LOCAL RULE 16.1(D)(3)

The undersigned certify that an authorized representative of plaintiffs John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company, and ManuLife Insurance Company (f/k/a Investor Partner Life Insurance Company) (collectively, "John Hancock"), and John Hancock's counsel have conferred (a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and

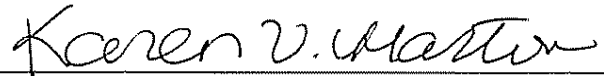
(b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.



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Counsel for Plaintiffs

Date: October 6, 2005



Karen V. Morton
Vice President and Counsel
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COMPANY
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Exhibit B

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

JOHN HANCOCK LIFE INSURANCE
COMPANY, JOHN HANCOCK
VARIABLE LIFE INSURANCE
COMPANY, and MANULIFE
INSURANCE COMPANY,

Plaintiffs,

v.

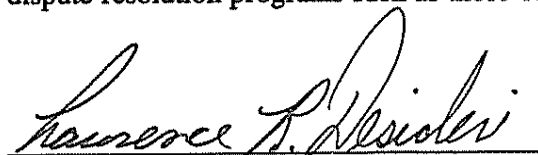
ABBOTT LABORATORIES,

Defendant.

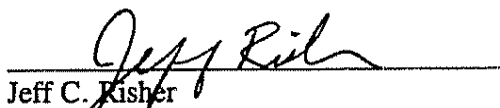
CIVIL ACTION NO. 05-11150-DPW

**ABBOTT LABORATORIES' CERTIFICATION
PURSUANT TO LOCAL RULE 16.1(D)(3)**

The undersigned certify that an authorized representative of defendant/counter-plaintiff Abbott Laboratories and that party's counsel have conferred (a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.



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